



Road Traffic Regulation Act 1967

1967 CHAPTER 76

Parking places (general provisions): off highways or without payment on highways

28 Power of local authorities to provide parking places.

- (1) Subject to sections 84A, 84B and 84C of this Act, where for the purpose of relieving or preventing congestion of traffic it appears to a local authority to be necessary to provide within their district suitable parking places for vehicles, the local authority may in accordance with the provisions of this section and sections 29 to 32 of this Act provide such parking places (whether above or below ground and whether or not consisting of or including buildings) together with means of entrance thereto and egress therefrom, or may by order authorise the use as a parking place of any part of a road within their district, not being a road the whole or part of the width of which is within Greater London.
- (2) No order under subsection (1) above shall—
 - (a) authorise the use of any part of a road so as unreasonably to prevent access to any premises adjoining the road or the use of the road by any person entitled to the use thereof, or so as to be a nuisance, or
 - (b) be made in respect of any part of a road without the consent of the authority or person responsible for the maintenance of the road.
- (3) A local authority may adapt for use as, or for providing means of entrance to, or egress from, a parking place any land acquired or appropriated by them for the purposes of this section and may, with the consent of the authority or person responsible for the maintenance of a road, adapt any part of it for the purpose of providing means of entrance to or egress from a parking place.
- (4) The exercise by a local authority of their powers under this section with respect to the use as a parking place of any part of a road shall not render them subject to any liability in respect of the loss of or damage to any vehicle or the fittings or contents of any vehicle parked in the parking place.
- (5) Any power conferred by this section to provide a parking place includes power to maintain it (if below ground) and to maintain buildings comprised in it, and to provide and maintain any cloakroom or other convenience for use in connection with

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it (references to parking places in other provisions of this section and in sections 29(4) and 31(7) of this Act being accordingly construed as including references to such a convenience).

- (6) In this section and sections 29 to 32 of this Act—
- (a) " local authority ", in relation to England and Wales, means the council of a county borough, London borough or county district, the Common Council of the City of London or, subject to subsection (7) below, the Greater London Council, and, in relation to Scotland, means a county council or town council;
 - (b) " parking place " means a place where vehicles, or vehicles of any class, may wait;
- and for the purposes of those sections an underground parking place shall not be deemed to be part of a road by reason only of its being situate under a road.
- (7) The Greater London Council shall not exercise their powers under this section or section 29 of this Act—
- (a) as respects any London borough, without the consent of the council of that borough, or
 - (b) as respects the City of London, without the consent of the Common Council, except with the consent of the Minister.
- (8) For the purposes of the Telegraph Acts 1863 to 1962 an underground parking place situate under a road which is provided and maintained under this section shall be deemed to be a subway within the meaning of section 6 of the Telegraph Act 1878.

29 Additional powers of local authorities in connection with off-street parking places.

- (1) The power of a local authority under section 28 of this Act to provide off-street parking places shall include power, exercisable in accordance with proposals in that behalf made to the appropriate Minister and approved by him, to provide them in buildings used also for other purposes, and to erect or adapt, and to maintain, equip and manage, buildings accordingly ; and the authority by whom a parking place is so provided may let on such terms as they think fit parts of the building which are not used for the parking place, and may provide services for the benefit of persons occupying or using those parts, and make such reasonable charges for those services as they may determine.
- (2) The appropriate Minister shall not approve proposals submitted to him under subsection (1) above for the provision of a parking place in a building used also for other purposes unless he is satisfied that the extent to which those purposes will be served by the building is no more than reasonable to ensure the economic operation of the parking place.
- (3) A local authority may adapt for use as a temporary off-street parking place any land owned by them or under their control, not being, in the case of land so owned, land acquired or appropriated by them for such a parking place.
- (4) A local authority may let for use as a parking place any off-street parking place provided by them.
- (5) Where under subsection (1) above a local authority provide an off-street parking place in a building, the power conferred on them by subsection (4) above shall extend to

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letting the parking place separately from the rest of the building and to letting the whole or any part of the building with the parking place.

- (6) A local authority may on such terms as they think fit—
- (a) let land on which they could erect or adapt a building for the purpose of providing an off-street parking place with a view to some other person's doing so ; or
 - (b) arrange with any person for him to provide such a parking place on any land of which he is the owner or in which he has an interest.
- (7) A local authority may at an off-street parking place provided by them under section 28 of this Act provide and maintain such buildings, facilities and apparatus as they think fit for the storage and sale of fuel and lubricants and supply of air and water for the vehicles, and may let or hire out, on such terms as they think fit, the buildings, facilities or apparatus so provided, but shall not themselves sell or supply fuel or lubricants.
- (8) The foregoing provisions of this section shall not affect the provisions of any local Act as to the provision of parking places.
- (9) A local authority shall have power, and (notwithstanding anything in section 81 of the Road Traffic Act 1960 as originally enacted or in the corresponding provision of the enactments repealed by that Act) shall be deemed always to have had power, to enter into arrangements with any person under which, in consideration of the payment by him to the authority of a lump sum, or series of lump sums, he is authorised to collect and retain the charges made in respect of the parking of vehicles in an off-street parking place provided by the authority under section 28 of this Act, under the said section 81 or under that section as applied by virtue of section 82 of the said Act of 1960 or under the corresponding provisions of the enactments repealed by that Act.

30 Acquisition of land.

- (1) A local authority may be authorised by the appropriate Minister to purchase compulsorily land for the purposes of sections 28 and 29(6)(a) of this Act, and the Acquisition of Land (Authorisation Procedure) Act 1946 or, as the case may be, the Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947 shall apply in relation to the compulsory purchase of land under this subsection as if it had been in force immediately before the commencement of that Act.

In this subsection " land " includes any interest or right in, over or under land.

- (2) Land compulsorily acquired by a local authority otherwise than for the provision of an off-street parking place and not appropriated for a purpose other than that for which it was acquired shall not be used, by them for the provision of an off-street parking place thereon for a period exceeding twelve months except with the consent of the Minister of the Crown who, at the time when his consent is sought, is the Minister concerned with the function for the purposes of which the land was acquired.
- (3) The power of a local authority to acquire land for the purposes of sections 28 and 29(6)(a) of this Act shall extend to the acquisition of any interest or right in, over or under land.

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31 Provisions as to use of parking places provided under s. 28.

- (1) Subject to sections 84A, 84B and 84C of this Act, a local authority may, as respects any parking place—
 - (a) provided by the authority under section 28 of this Act, or
 - (b) provided under any letting or arrangements made by the authority under section 29(6) thereof,by order make provision as to the use of the parking place, and in particular as to the vehicles or class of vehicles which may be entitled to use it, as to the conditions on which it may be used, as to the charges to be paid in connection with its use (where it is an off-street one) and as to the removal therefrom of a vehicle left there in contravention of the order and the safe custody of the vehicle.
- (2) An order under subsection (1) above may provide for a specified apparatus or device to be used as a means to indicate the time at which a vehicle arrived at, and the time at which it ought to leave, a parking place, or one or other of those times, or the charges paid or payable in respect of a vehicle in an off-street parking place, or as a means to collect any such charges, and may make provision regulating the use of any such apparatus or device; but an order shall not provide for the use of any apparatus or device not generally or specially approved for the purpose by the appropriate Minister and, where an order provides for the use of any apparatus or device for collecting charges at an off-street parking place, the local authority shall comply with any directions of the appropriate Minister as to the testing, maintenance and periodical inspection of the apparatus or device.
- (3) In the event of any contravention of, or non-compliance with, a provision of an order under subsection (1) above, the person responsible shall be liable on summary conviction to a fine not exceeding £5 or, in the case of a second or subsequent conviction, to a fine not exceeding £10 ; and where such an order provides for the use of any apparatus or device for collecting charges at an off-street parking place, any person who, with intent to defraud, interferes with the apparatus or device, or operates or attempts to operate it by the insertion of objects other than current coins of the appropriate denomination, shall be liable on summary conviction to a fine not exceeding £50 or to imprisonment for a term not exceeding three months or to both such fine and such imprisonment.
- (4) An order under subsection (1) above may include provision—
 - (a) for determining the person responsible for any contravention of, or non-compliance with, the order;
 - (b) for treating the indications given by any apparatus or device used in pursuance of the order as evidence, and in Scotland sufficient evidence, of such facts and for such purposes as may be provided by the order ;
 - (c) for applying with any appropriate adaptations any of the provisions of section 42(5) to (7) of this Act.
- (5) While a vehicle is within a parking place, it shall not be lawful for the driver or conductor of the vehicle, or for any person employed in connection therewith, to ply for hire or to accept passengers for hire, and if a person acts in contravention of this provision he shall be liable on summary conviction to a fine not exceeding £2.
- (6) In England or Wales, a local authority may institute proceedings for offences in connection with parking places provided by the authority, or provided under any letting or arrangements made by the authority under section 29(6) of this Act, being offences under subsection (3) or (5) above.

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- (7) A local authority may appoint with or without remuneration such officers and servants as may be necessary for the superintendence of parking places.
- (8) Nothing in subsections (1) to (4) above shall affect the Restriction of Ribbon Development (Power to Provide Parking Places) Order 1936, so far as it applies to the City of London or apply to any byelaws having effect as respects the City of London by virtue of that Order; and that Order, so far as it so applies, shall continue to have effect by virtue of this subsection.

32 Provisions supplemental to ss. 28 to 31.

- (5) A local authority may contribute towards the expenses incurred by any other authority in the exercise of their powers under sections 28, 29(1), 30 and 31(7) of this Act.
- (6) A local authority in Scotland may borrow such sums as they may require for the purposes of the provisions mentioned in subsection (5) above.

33 Omnibus and coach stations.

- (1) Subject to subsection (1A) below and to sections 84A, 84B and 84C of this Act, where, in pursuance of the powers conferred by section 28 of this Act, a local authority provide a parking place which may be used by public service vehicles, the local authority may, if they think fit,—
 - (a) by order appoint that parking place as a station for, or for a specified class of, such vehicles ;
 - (b) in England or Wales by regulation, and in Scotland by order, declare that section 31(5) of this Act shall not apply to public service vehicles, either absolutely or to such extent as may be specified in the regulation or order.
- (1A) Without prejudice to subsection (1) and to any regulations under subsection (2) or (4) of section 84C of this Act, before making an order under subsection (1)(a) above otherwise than in pursuance of a direction given by the Minister under section 84A(1) of this Act, the local authority shall consult—
 - (a) with the appropriate traffic commissioners; and
 - (b) if the local authority's area is situated wholly or partly within an area designated under section 9(1) of the Transport Act 1968, with the Executive for that area ;and, if the order is required to be submitted to the Minister for his consent under section 84B of this Act, the authority shall so consult before so submitting it.
- (2) Where a parking place is appointed under this section as a station for public service vehicles, the local authority may—
 - (a) do all such things as are necessary to adapt the parking place for use as such a station, and in particular provide and maintain waiting rooms, ticket offices and lavatories, and other similar accommodation, in connection therewith;
 - (b) make reasonable charges for the use of, or let on hire to any person, any accommodation so provided; and
 - (c) make regulations as to the use of any such accommodation.
- (3) A local authority shall have power to make such reasonable charges for the use of a parking place, not being part of a street, as a station for public service vehicles as may be fixed by the local authority, so however that if the public service vehicle licence

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holder in respect of any vehicles using the parking place as a station considers that the charges fixed are unreasonable, then, in default of agreement between the licence holder and the local authority for a reduction thereof, the charges in respect of those vehicles shall be such as may be determined by the appropriate traffic commissioners.

- (5) In this section, the expression " the appropriate traffic commissioners " means the commissioners for any traffic area constituted for the purposes of Part III of the Road Traffic Act 1960 in which the area or any part of the area of the local authority is situate.
- (8) The powers conferred on a local authority by subsections (1) and (2) above shall be in addition to, and not in substitution for, the powers conferred on a local authority by sections 28 and 29(1) of this Act.
- (9) The purposes of this section shall be purposes for which a local authority may borrow.

34 Provisions as to foreshore in Scotland.

- (1) Nothing in sections 28, 29(1), 30(1) and 33 of this Act shall authorise the execution of any works on, over or under tidal lands in Scotland below high-water mark of ordinary spring tides except in accordance with such plans and sections and subject to such restrictions and regulations as previous to such works' being commenced have been approved in writing by the Board of Trade.
- (2) The functions of the Board of Trade under this section may be exercised by the President of the Board of Trade, any Minister of State with duties concerning the affairs of the Board, any secretary, under-secretary or assistant secretary of the Board, or any person authorised in that behalf by the President of the Board.